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8  
9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
12  
13

14 In re JUNIPER NETWORKS, INC.  
SECURITIES LITIGATION

15  
16 This Document Relates To:  
17 ALL ACTIONS.

18  
19 THE NEW YORK CITY EMPLOYEES'  
RETIREMENT SYSTEM, *et al.*,

20 Plaintiffs,

21 v.

22 LISA C. BERRY,

23 Defendant.  
24  
25  
26  
27  
28

No. C 06-04327-JW

**STIPULATION AND [PROPOSED]  
ORDER CONCERNING  
DEFENDANT BERRY'S TIME TO  
RESPOND TO CLASS ACTION  
COMPLAINT**

No. C 08-0246-JW

1 WHEREAS, on January 14, 2008, the New York City Pension Funds filed a putative class  
2 action titled *The New York City Employees' Retirement System et al. v. Berry*, C-08-0246-MHP  
3 (N.D. Cal.) (the "Berry Action");

4 WHEREAS, pursuant to Civil L.R. 3-12, a Related Case Order was entered and on February  
5 25, 2008, the Berry Action was reassigned to Judge Ware, who is presiding over *In re Juniper*  
6 *Networks, Inc. Securities Litigation*, C-06-04327-JW (N.D. Cal.) (the "Consolidated Action");

7 WHEREAS, motions to dismiss the Amended Consolidated Complaint in the Consolidated  
8 Action have been under submission since September 10, 2007;

9 WHEREAS, disposition of several arguments raised by defendants in the motions to dismiss  
10 the Consolidated Action will provide guidance to the parties in the Berry Action;

11 WHEREAS, the parties have conferred and agree that for the convenience of the parties and  
12 the Court, the time for defendant to respond to the complaint in the Berry Action should be deferred  
13 until after the Court's ruling on the motions to dismiss in the Consolidated Action;

14 NOW, THEREFORE, the parties hereby stipulate, and request the court to order, as follows:

15 1. Defendant Berry shall respond to the complaint in the Berry Action within thirty (30)  
16 days after (i) the New York City Pension Funds file a Second Amended Consolidated Complaint in  
17 the Consolidated Action; or (ii) the Court's ruling on the motions to dismiss, in the event that the  
18 New York City Pension Funds are not required to file an amended complaint.

19 Dated: February 26, 2008

20 LOWEY DANNENBERG COHEN  
& HART, P.C.

21  
22 By: /s/

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\* \* \*

I, David C. Harrison, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Filing of Consolidated Complaint and Briefing Schedule. In compliance with General Order 45, X.B., I hereby attest that Moji Saniefar has concurred in this filing.

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 5, 2008

  
THE HONORABLE JAMES WARE  
UNITED STATES DISTRICT JUDGE